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LITSON  
PATENT  
09/23-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Mark B. Spitzer  
Application No. : 09/589,299  
Filed : June 7, 2000  
For : COMPACT, HEAD-MOUNTABLE DISPLAY DEVICE WITH  
SUSPENDED EYEPIECE ASSEMBLY  
Examiner :  
Attorney's Docket : MIOPT-005XX

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Group Art Unit: 2775

Technology Center 2600

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

July 25, 2002.

By Beverly E. Hjorth  
Beverly E. Hjorth  
Registration No. 32,033  
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[ ] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believe that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[X] (3) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[X] a statement under 37 CFR §1.97(e); or

[ ] the fee set forth in §1.17(p).

PETITION UNDER 37 CFR §1.97(d)

[ ] (4) Pursuant to 37 CFR §1.97(d), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(i).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

[X] (5) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The art cited herein was cited in the Supplementary European Search Report, dated July 9, 2002, (copy enclosed) for European Patent Application EP 00 94 3445, and the Supplementary European Search Report, dated July 16, 2002, (copy enclosed) for European Patent Application EP 00 94 3443.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

[ ] (6) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Application No. 09/589,299  
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The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.


If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MARK B. SPITZER

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Enclosures